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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Olen W. Bryant, Jr. et al.
Serial Number : 10/655,115
Filed : September 4, 2003
Art Unit : 3711
Examiner : Michael S. Chambers

PETITION TO REVIVE

Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant has received a Notice of Abandonment mailed October 18, 2005, a copy of which is attached. The grounds for abandonment are that Applicant failed to pay the required issue fee and publication fee within the statutory period of three months.

When the undersigned returned to his office from a business trip and reviewed the Notice of Abandonment and his files, he called Examiner Michael Chambers and was advised that a Notice of Allowance and Fee(s) Due was mailed February 4, 2005. Examiner Chambers then kindly faxed a copy to the undersigned which forms the basis for this Petition.

Applicant never received the Notice of Allowance and first became aware of it when he received the Notice of Abandonment. Strangely enough, Applicant did receive a Notice Regarding Drawings mailed September 6, 2005 requesting corrected informal drawings to which Applicant responded on October 17, 2005. A copy of the Notice Regarding Drawings and applicant's response thereto (without the corrected drawings) are enclosed.

Without receiving the Notice of Allowance, applicant had no knowledge that fee payments were to be paid. Thus the abandonment was unavoidable. While a fee seems inappropriate under the circumstances, applicant, out of an abundance of caution, nevertheless submits herewith a check for \$250 to cover

11/14/2005 TBESHAH1 00000009 10655115
01 FC:2452 250.00 DP

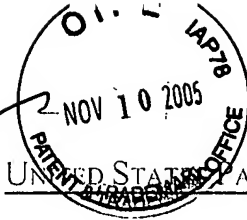
the Petition fee. Applicant seeks a favorable grant of this Petition, a new copy of the Notice of Allowance and Fee(s) Due and a refund of the Petition fee.

Respectfully submitted,

Olen W. Bryant, Jr.

Date: 11-8-2005

By: Charles Y. Lackey
Charles Y. Lackey
Reg. No. 22,707
Attorney for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/655,115	09/04/2003	Olen W. Bryant JR.		5826

7590 10/18/2005
Charles Y. Lackey
Post Office Box 5871
Winston-Salem, NC 27113-5871

EXAMINER

CHAMBERS, MICHAEL S

ART UNIT	PAPER NUMBER
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3711

DATE MAILED: 10/18/2005

(571) 272 4407

Please find below and/or attached an Office communication concerning this application or proceeding.



Notice of Abandonment

Application No.

10/665,115

Examiner

CHAMBERS

Applicant(s)

BRYANT

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☒ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

LGD

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER	2035 FILING DATE	FIRST NAME APPLICANT	ATTORNEY DOCKET NUMBER
10/655115	09/04/2003	Olen W. Byrant, JR.	

Charles Y. Lackey
Post Office Box 5871
Winston-Salem NC 27113-5871

Examiner: Chambers, Mitchael

Art Unit
3711

Sheet No.

Date Mailed: September 6, 2005

Notice Regarding Drawings

Corrected drawings for the above-identified application, received in the USPTO on September 4, 2003 still not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this Notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b).** Failure to take corrective action within the set period will result in abandonment of the application.

ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review

RETURN CORRECTED DRAWINGS TO:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 9/4/03 are:

- A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.
B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. **DRAWINGS.** 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).

☐ Color drawings are not acceptable until petition is granted. Fig(s) _____

☐ Pencil and non black ink not permitted. Fig(s) _____

2. **PHOTOGRAPHS.** 37 CFR 1.84(b)

☐ One (1) full-tone set is required. Fig(s) _____

☐ Photographs may not be mounted. 37 CFR 1.84(e)

☐ Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) _____

☐ Poor quality (half-tone). Fig(s) _____

3. **TYPE OF PAPER.** 37 CFR 1.84(e)

☐ Paper not flexible, strong, white, and durable.

Fig(s) _____

☐ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted.

Fig(s) _____

4. **SIZE OF PAPER.** 37 CFR 1.84(f): Acceptable sizes:

21.0 cm by 29.7 cm (DIN size A4) or

21.6 cm by 27.9 cm (8 1/2 x 11 inches)

☐ All drawing sheets not the same size.

Sheet(s) _____

☐ Drawings sheets not an acceptable size. Fig(s) _____

5. **MARGINS.** 37 CFR 1.84(g): Acceptable margins:

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm

☐ Margins not acceptable. Fig(s) _____

Top (T) _____ Left (L)

Right (R) _____ Bottom (B)

6. **VIEWS.** 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

☐ Views not labeled separately or properly.

Fig(s) _____

7. **SECTIONAL VIEWS.** 37 CFR 1.84(h)(3)

☐ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____

8. **ARRANGEMENT OF VIEWS.** 37 CFR 1.84(i)

☐ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____

9. **SCALE.** 37 CFR 1.84(k)

☐ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction.

Fig(s) _____

10. **CHARACTER OF LINES, NUMBERS, & LETTERS.** 37 CFR 1.84(l)

☒ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) 1A-16C

11. **SHADING.** 37 CFR 1.84(m)

☐ Solid black areas pale. Fig(s) _____

☐ Solid black shading not permitted. Fig(s) _____

12. **NUMBERS, LETTERS, & REFERENCE CHARACTERS.** 37 CFR 1.84(p)

☒ Numbers and reference characters not plain and legible. Fig(s) 1A-16C

☐ Figure legends are poor. Fig(s) _____

☐ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____

☐ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) _____

☐ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) _____

13. **LEAD LINES.** 37 CFR 1.84(q)

☐ Lead lines missing. Fig(s) _____

14. **NUMBERING OF SHEETS OF DRAWINGS.** 37 CFR 1.84(t)

☐ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) _____

15. **NUMBERING OF VIEWS.** 37 CFR 1.84(u)

☐ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____

16. **DESIGN DRAWINGS.** 37 CFR 1.152

☐ Surface shading shown not appropriate.

Fig(s) _____

☐ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) _____

COMMENTS:

Loops on specimens of (Fig 9A-10A)
centering lines of (Fig 9A-9B)
figures out of order of (Fig 1A-16C)
views connected by dots of (Fig 8A-8B, 9A-9B, 12A-12B, 16A-16B)
Fig legends placed incorrectly (Fig 2-4A)

Reviewer W/S

If you have questions, call (703) 305-8404.

Date 9/6/05

Attachment to Paper No. _____



BEST AVAILABLE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Olen W. Bryant, Jr. et al.
Serial Number : 10/655,115
Filed : September 4, 2003
Examiner : Michael S. Chambers

AMENDMENT

Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed September 6, 2005 in the above-referenced application, a copy of which is enclosed. Please amend the drawings as requested. Copies of all drawings are enclosed.

Very truly yours,

Charles Y. Lackey
Charles Y. Lackey
Reg. No. 22,707
PO Box 5871
Winston-Salem, NC 27113-5871

Date: 10-17-2005

Commissioner of Patents and Trademarks

Applicant/Inventor Bryant, Jr. et al.
Serial No. 10/655,115 Filing Date 9/4/2003
Reg. No. _____ Patent No. _____
Mark/Title Soccer Goal and Connectors
Operating Unit _____

Please confirm receipt of this document(s) checked below by applying your (date) stamp and serial no.

<input type="checkbox"/> Trademark application entered on useful/proposed use	<input type="checkbox"/> Assignment document
<input type="checkbox"/> Patent application	<input type="checkbox"/> Issue fee transmittal
<input type="checkbox"/> Amendment/Response	<input type="checkbox"/> Section 15 Declaration
<input type="checkbox"/> Section 8 Declaration	<input type="checkbox"/> Petition to Commission
<input type="checkbox"/> Renewal application	<input type="checkbox"/> Notice of opposition
<input type="checkbox"/> Request for ext. of time	<input type="checkbox"/> Application to foreign use
<input type="checkbox"/> Statement of use	<input type="checkbox"/> Other <u>Amended informal drawings + postcard</u>

Very truly yours,
Charles Y. Lackey

OIP
NOV 10 2005
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